

SAO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

CONOCOPHILLIPS COMPANY

SUMMONS IN A CIVIL ACTION

V.

MARGARET ANN RUGGIERO & RODNEY C.
BOCCADORO, JR.

CASE NUMBER:

08 CIV. 6366

TO: (Name and address of Defendant)

Margaret Ann Ruggiero
318 Grand Street, Newburgh, NY 12250

Rodney C. Boccadoro, Jr.
318 Grand Street, Newburgh, NY 12250

JUL 16 2008

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

William J. Cortellessa, Esq. (WC-9955)
Salon Marrow Dyckman Newman & Broudy, LLP.
292 Madison Avenue, 6th Floor
New York, NY 10017
(212) 661-7100

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. Michael McMahon
CLERK

CLERK

(By) DEPUTY CLERK

DATE

JUL 16 2008

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served personally upon the defendant. Place where served: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted: </div> <div> <input type="checkbox"/> Other (specify): </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> Executed on _____ <div style="text-align: center; margin-top: -10px;">Date</div> </div> <div style="width: 60%;"> _____ <div style="text-align: center; margin-top: -10px;">Signature of Server</div> </div> </div> <div style="text-align: center; margin-top: 20px;"> _____ <div style="text-align: center; margin-top: -10px;">Address of Server</div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT
COUNTY OF NEW YORK

DISTRICT: SOUTHERN DISTRICT OF NEW YORK

Attorneys: Salon Marrow Dyckman & Newman, LLP PH: 212-661-7100
Address: 292 Madison Avenue, 6th Flr New York NY 10017 File No.: 011674.003

Date Filed: July 16, 2008

Court Date:

CONOCOPHILLIPS COMPANY

vs

Plaintiff(s)/Petitioner(s)

MARGARET ANN RUGGIERO, ET ANO

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

AFFIDAVIT OF SERVICE

DANIEL Knight, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On July 30, 2008 at 9:30PM, at 318 GRAND STREET, NEWBURGH, NY 12250, deponent served the within Summons, Complaint and Rule 7.1 Statement

on: RODNEY C. BOCCADORO, JR., Defendant therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 ☐ By delivering thereat a true copy of each to _____ personally, deponent knew the person so served to be the _____ of the _____, and authorized to accept service on behalf of the _____.

#3 SUITABLE AGE PERSON ☒ By delivering a true copy of each to MARGARET ANN RUGGIERO a person of suitable age and discretion. Said premises is recipient's: [] actual place of business [X] dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business [] dwelling house (place of abode) within the state.

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat

on the _____ day of _____ at _____

on the _____ day of _____ at _____

on the _____ day of _____ at _____

Address confirmed by _____

#5 MAIL COPY On July 31, 2008, deponent completed service by depositing a true copy of each document to the Defendant at 318 GRAND STREET, NEWBURGH, NY 12250

☒ in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York and Certified Mail # _____

#6 DESCRIPTION A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:

☒ Sex: Female Color of skin: White Color of hair: Black Age: 40 - 50 Yrs. Height: 5' 4" - 5' 8"
(use with #1, 2 or 3) Weight: 100 - 130 Lbs. Other Features: _____

#7 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#8 MILITARY SRVC ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of New York and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.

#9 USE IN NYC CIVIL COURT ☐ The language required by NYCRR 2900.2 (e), (f) & (h) was set forth on the fact of said summons (es).

#10 OTHER ☐

Sworn to before me on July 31, 2008

WENDY RESNICK
NOTARY PUBLIC, State of New York
No. 11RE5067464, Westchester County
Commission Expires Oct.15, 2010

DANIEL Knight

Server's Lic #

Invoice/Work Order # 08019651